

## **CALIFORNIA INSPECTION & MAINTENANCE REVIEW COMMITTEE**

**Meeting Minutes Summary  
Friday, December 13, 2002  
Department of Consumer Affairs  
400 'R' Street  
Sacramento, California**

**Committee Members Present:**

VICTOR WEISSER, CHAIR  
NORM COVELL  
ELIZABETH DEAKIN (arrived late)  
DENNIS DeCOTA  
BRUCE HOTCHKISS  
SHELDON KAMIENIECKI  
ROBERT PEARMAN  
RICHARD SKAGGS (left early)  
JEFFREY WILLIAMS

**Motions:**

1. IMRC Committee Member DeCota made a motion seconded by Member Covell to approve the minutes of the November 30<sup>th</sup>, 2001 meeting as written. The motion was passed unanimously.
2. A motion was made by Member Kamieniecki and seconded by Member Skaggs to use the Robert's Rules of Order as a general guide for the conduct of meetings. The motion was passed unanimously.
3. A motion was made by Member DeCota and seconded by Member Covell to continue the practice of recording and transcribing; extracting from those transcripts meeting minutes which would contain specific items that were raised for a vote; to record votes; and to identify any other items of significance that were discussed by the IMRC. The motion was passed
4. Member Pearman moved that no sooner than the next meeting the IMRC should have an item placed on the agenda to elect a vice-chair. Member Skaggs seconded the motion which passed unanimously.
5. Member DeCota made a motion that the IMRC establish a monthly meeting schedule; that Lynn Forsyth poll the members to identify good dates to set for a regular meeting; and to express the intent of the IMRC to meet at least once every three or four months outside of Sacramento and that the meeting once a quarter be at times that will enable at least a portion of the meeting to extend into the evening. The motion was seconded by Member Skaggs and passed unanimously.

6. Member Covell made a motion seconded by Member Weisser that following a presentation to the IMRC, the individual doing the presentation would receive questions from the Members of the IMRC, following which questions and comments would be heard by the IMRC from the public. The motion passed unanimously.

#### Introductions:

The IMRC has recently had a number of new Members appointed. Each member present was asked to introduce themselves and briefly described their background and interest in the work of the IMRC. At the end of the introductions the Chair briefly introduced Mr. Don Chang, an Attorney with the Department of Consumer Affairs. Mr. Chang was present to assist the IMRC with any procedural questions.

#### Discussion Items:

1. A discussion was held on procedural items, such as identifying a meeting schedule and how often the committee should be meeting.
2. A discussion took place regarding the minutes of the meetings. Recent past practice has been to audiotape the meetings of the IMRC and have the tapes transcribed by an independent professional transcriber. These transcriptions have served as meeting minutes. From now on the IMRC's practice will be to extract a summary of the meeting from the transcript and use that as meeting minutes (this being the first example of such a summary) to be made available to the Members and the public. The transcript will continue to be made available to the IMRC members to clarify any questions. Tapes of the IMRC meetings will also continue to be available to the public for a nominal fee.
3. In the future, a copy of the agenda for the up coming meeting will be placed on the IMRC website to help inform the public and also an "ET blast" will be generated for all shops and technicians.
4. IMRC Members were informed about the requisite ethics training. Participation in an ethics training program is required for all of the board members. This program is available on the web and by videotape. All Members must take the ethics training program and options for the training will be provided to the Members in the next few weeks. The completion of the Conflict of Interest Statement was briefly discussed and Members informed, agreed to contact Lynn Forsyth if they had not completed the required forms.
5. Members were also advised to make any travel arrangements related to the committee through Lynn Forsyth. There are unique procedures associated with the State of California's acquisition of airline tickets and hotel reservations that saves the public money.
6. It was proposed that the IMRC initially plan to meet on a monthly basis. The fourth Thursday of each month was suggested. It was also suggested that at least one of every two or three meetings be held in other locations other than Sacramento. And lastly, it was suggested that one out of every three or four meetings be scheduled, at least in part, as an evening meeting.

7. The question was raised regarding the office for the IMRC. The IMRC office is located at 915 "L" Street, Suite 1435, Sacramento, California 95814. The office has a three year lease, but is currently unoccupied on a full time basis due to absence of permanent staff.
8. There was a brief discussion regarding the budget for the IMRC. The IMRC has a yearly budget of \$300,000.00. The IMRC receives \$150,000.00 from the Bureau of Automotive Repair, provided for administrative costs, including staff, travel expenses, meeting costs, and rentals. The balance of the budget is provided by the Air Resources Board and is principally directed toward funding research approved by the IMRC.
9. A member of the public raised a question regarding the committee following the Brown Act in terms of open meetings. Mr. Chang clarified that the Brown Act applies to only local government, and that the IMRC is subject to the provisions of the Bagley-Keane Act and other associated provisions in law and rules regarding the conduct of open meetings.
10. A public member asked about the process and requirements related to scheduling and performing a public presentation before the IMRC. He was advised to develop an outline, submit the outline to Ms. Forsyth, who in turn would send it to the Chair of the IMRC who will consider it in terms of the construction of the IMRC agendas to determine an appropriate time for the IMRC to hear the presentation.
11. A series of three presentations were given by the regulatory agencies that have been involved in the Smog Check Program. This will be the first of a series of opportunities for the newly reconstituted IMRC to hear from the involved agencies. The first presentation was given by the United States Environmental Protection Agency (USEPA). The presentation was given by Mr. Jack Broadbent, who serves as the Director of the Air Division for USEPA Region Nine and Ms. Sylvia Dugre, who is the expert for USEPA on the inspection and maintenance programs in Region Nine. They discussed the importance of the Smog Check Program in achieving federal clean air goals.

The next presentation was presented by Mr. Tom Cackette, Deputy Executive Officer of the California Air Resources Board (CARB). Mr. Cackette provided an overview of the how the Smog Check Program fits into the overall state strategy for meeting clean air goals and briefly discussed three reports due to the IMRC from CARB. The IMRC is supposed to look at CARB's findings and recommendations in these reports and come up with its own recommendations and submit them to the Legislature and Governor by July of 2003, on how to improve the program.

The last presentations were given by representatives of the Bureau of Automotive Repair (BAR). Mr Patrick Dorais, Acting Chief of BAR, made remarks and introduced Mr. Gary Hunter, Deputy Chief for Smog Check Operations and Engineering and Mr. Richard Mundy, Deputy Chief for Field Operations and Enforcement. The majority of the BAR presentation was made by David Amlin, Branch Chief of the Smog Check Engineering Division, and Mike Vanderlaan, Program Manager II, Enforcement Division. These presentations focused on basic operations and characteristics of the Smog Check Program.

12. A suggestion was made that the Members note down the questions they had that had been stimulated by the presentations and those questions might prove useful in forming a portion of future IMRC meeting agendas. All three agencies will provide copies of the presentations for IMRC Members.
13. A discussion of the Mission Statement for the IMRC followed. Chairman Weisser was asked to draft a revised mission statement based on the existing one and the discussion which transpired, forward it to Ms. Forsyth, who in turn will send it out to the Members for review prior to the next IMRC meeting.

14. A discussion was held on staff needed for the IMRC, including desirable skills, experience, and background. The discussion focused on the possibility of hiring a new Executive Officer and clerical support staff. Prior to the next meeting of the IMRC, the Chair will prepare and Ms. Forsyth will distribute a version of the duty statement to each Member to review. At the next meeting of the IMRC, Members will be asked to amend and approve the duty statement and form a sub-committee for the purpose of staff
15. The IMRC has been invited by BAR to visit their test facilities. A field trip was suggested for the members. Members are to e-mail the Chair to express their interest and indicate possible dates for such a tour.